

## **REMARKS**

### **Amendments**

Claim 1 is amended to include the transition term "comprising" and to recite that the passages of the first and the second component areas are rectilinear over the height of said heat exchanger core. See, e.g., page 14, lines 9-11 and the embodiments illustrated in Figures 5-8 and 11-12. Also, claim 1 is amended to recite that each of the first and second component areas extends over only part of the width of the heat exchanger core. See, e.g., page 14, lines 3-6 and the embodiments illustrated in Figures 5-8 and 11-12.

Claim 5 is amended to recite that exchange passages for the heat transfer medium/cooling medium are distributed uniformly over the entire width of the heat exchanger core. See, e.g., page 8, lines 12-13.

New claims 17-20 are directed to further aspects of applicants' invention and are supported throughout the disclosure. See, e.g., page 6, lines 11-13, page 13, lines 10-16, and page 14, lines 3-6.

### **Claim Objection**

As noted above, claim 1 is amended to include the transition term "comprising," as suggested by the Examiner. Withdrawal of the objection is respectfully requested.

### **Rejection under 35 USC §112, second paragraph**

As noted above, claim 5 is amended to recite that exchange passages for the heat transfer medium/cooling medium are distributed uniformly over the entire width of the heat exchanger core. See, e.g., page 8, lines 12-13. Withdrawal of the rejection under 35 USC §112 is respectfully requested.

### **Rejection under 35 USC §102(b) in view of "admitted prior art"**

Claims 1, 5, 6, and 10-16 are rejected as allegedly being anticipated in view of the "admitted prior art." This rejection is respectfully traversed.

The "admitted prior art" referred to in the rejection are applicants' Figure 1-4. These Figures do not illustrate an embodiment having first and second component areas containing heat exchange passages that are rectilinear over the height of said heat exchanger core. As shown, the heat exchange passages within the distribution/collection zones 39,49, 59 exhibit changes in flow direction. See, also, page 12, lines 15-16.

Also, these Figures do not illustrate an embodiment having first and second component areas which each extend over only part of the width of the heat exchanger core.

In view of the above remarks, it is respectfully submitted that the so-called "admitted prior art" fails to anticipate applicants' claimed invention. Withdrawal of the rejection under 35 USC §102(b) is respectfully requested.

**Rejection under 35 USC §103(a) in view of "admitted prior art" and Goto et al.**

Claims 2-4 and 7-9 are rejected as allegedly being obvious in view of the of "admitted prior art" in combination with Goto et al. (US 5,979,182). This rejection is also respectfully traversed.

Regarding the admitted prior art, see the discussion of applicants' Figures 1-4 above. In the rejection, reference is made to component areas A<sub>1</sub>-A<sub>4</sub> of Goto et al. (US '182) as illustrated in Figures 6, 7 and 8A-8D. It is argued that these component areas extend over the depth of the heat exchange core, in light of the arrangement of headers shown in Figure 6 and the top openings illustrated in Figure 7. However, as can be seen from Figure 8, each of these component areas extends over the entire width of the heat exchanger core. Also, these component areas include heat exchange passages within the distribution/collection zones D<sub>1</sub>-D<sub>4</sub> and D<sub>a</sub>-D<sub>d</sub> which exhibit changes in flow direction.

It is noted that Figure 5 illustrates an embodiment in which component areas do not extend over the length of one dimension. See the two top headers in Figure %. However, this Figure does not suggest that the component areas extend over only part of the width of the heat exchanger core. No disclosure or suggestion is made by US '182 to provide means for dividing heat exchange unit A<sub>5</sub> into two units separated by a separation plate.

In view of the above remarks, it is respectfully submitted that the so-called "admitted

prior art", alone or in combination with US '182, fails to render obvious applicants' claimed invention as recited in claims 2-4 and 7-9. Withdrawal of the rejection under 35 USC §103(a) is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brion P. Heaney', is written over a horizontal line.

Brion P. Heaney, Reg. No. 32,542  
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO  
& BRANIGAN, P.C.  
Arlington Courthouse Plaza 1, Suite 1400  
2200 Clarendon Boulevard  
Arlington, Virginia 22201  
Telephone: (703) 243-6333  
Facsimile: (703) 243-6410

Attorney Docket No.: LINDE-597 P1

Date: November 5, 2004